



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/539,391

06/15/2005

Johannes Friso Rendert Blacquiere

NL021420US1

4254

24737

7590

08/31/2010

PHILIPS INTELLECTUAL PROPERTY & STANDARDS

P.O. BOX 3001

BRIARCLIFF MANOR, NY 10510

EXAMINER

DARE, RYAN A

ART UNIT

PAPER NUMBER

2186

MAIL DATE

DELIVERY MODE

08/31/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/539,391	Applicant(s) BLACQUIERE ET AL.	
	Examiner RYAN DARE	Art Unit 2186	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 26 July 2010.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>8/27/10</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-17 are rejected under 35 U.S.C. 102(e) as being anticipated by Kanota et al., US Patent 6,813,681.

3. With respect to claim 1, Kanota teaches a method for dividing user storage space of an optical disc, the method comprising acts of:

dividing the user storage space located between a lead-in area and a lead-out area of the optical disk into a plurality of storage sections including one or more first storage sections where only user data in a first format is recordable and one or more second sections where only user data in a second format that is different from the first format is recordable, in col. 10, lines 15-28, where the data formats are the AV data and memo data or audio data, which each have their own sections

wherein the user storage space is space on the optical disc that is available for a user to record user data, in col. 10, lines 15-28; and

Art Unit: 2186

defining one or more availability parameters which defines a location and/or extent of at least one storage section in the user storage space of the optical disk, in col. 10, lines 15-28.

4. With respect to claim 2, Kanota teaches the method according to claim 1, wherein at least one of said one or more availability parameters is incorporated in a standard format for the application concerned, in col. 2, lines 59-63.

5. With respect to claim 3, Kanota teaches the method according to claim 1, wherein at least one of said one or more availability parameters is a variable parameter whose value is stored in a predetermined area or location of the user storage space of the optical disc, in col. 10, lines 15-28.

6. With respect to claim 4, Kanota teaches the method according to claim 1, wherein at least one of said availability parameters defines a borderline address between the first storage section and the second storage section, in col. 10, lines 15-28

7. With respect to claim 5, Kanota teaches the method according to claim 1, wherein at least one of said availability parameters defines an extremity address of one of the first or second sections.

8. With respect to claim 6, Kanota teaches the method according to claim 1, wherein at least one of said availability parameters defines a length of one of the first or second sections.

9. With respect to claim 7, Kanota teaches a user-writeable optical disc, the optical disk comprising:

a user storage space located between a lead-in area and a lead-out area of the optical disk divided into a plurality of storage sections including one or more first storage sections where only user data in a first format is recordable and one or more second storage sections where only user data in a second format that is different from the first format is recordable, in col. 10, lines 15-28 and discussed in the rejection of claim 1 above,

wherein the user storage space is space on the optical disc that is available for a user to record user data, in col. 10, lines 15-28; and

a predetermined area or location of the user storage space where one or more availability parameters is stored which defines a location and/or extent of at least one storage section in the user storage space of the optical disk, in col. 10, lines 15-28.

10. With respect to claim 8, Kanota teaches the user-writeable optical disc according to claim 7, wherein at least one of said availability parameters defines a borderline address between the first storage section and the second storage section, in col. 10, lines 15-28.

11. With respect to claim 9, Kanota teaches the user-writeable optical disc according to claim 7, wherein at least one of said availability parameters defines an extremity address of one of the first or second storage, in col. 10, lines 15-28.

12. With respect to claim 10, Kanota teaches the user-writeable optical disc according to claim 7, wherein at least one of said availability parameters defines a length of one of the first or second storage-section sections, in col. 10, lines 15-28.

Art Unit: 2186

13. With respect to claim 11, Kanota teaches the user-writeable optical disc according to claim 7, wherein the values of said parameters are stored as a table in a predetermined area or location of the user storage space of the disc, in col. 10, lines 15-28.

14. With respect to claim 12, Kanota teaches the user-writeable optical disc according to claim 11, wherein said table contains at least one entry defining the length of the table, in col. 10, lines 15-28.

15. With respect to claim 13, Kanota teaches a method of writing user data to an optical disc comprising acts of:

determining a value of an availability parameter, in col. 17, lines 12-35, where the parameter is input from the user about which section is available to write;

determining at least one first and at least one second predefined storage section of a user storage space located between a lead-in area and a lead-out area of the optical disk on the basis of said availability parameter, in col. 10, lines 15-28,

in the first predefined storage section only user data in a first format is recordable and in the second predefined storage section only user data in a second format that is different from the first format is recordable, wherein the user storage space is space on the optical disc that is available for a user to store user data, in col. 10, lines 15-28;

consulting application-specific recording location information regarding location and extent of recorded areas of the user storage space, in col. 10, lines 15-28;

selecting, within said first and second predefined storage section sections of the user storage space, a free area suitable for accommodating the user data to be written

Art Unit: 2186

based on whether the user data to be written is in the first or second formats and taking into account said recorded areas as determined by said application-specific recording location information, in col. 17, lines 12-35;

recording said user data within said free area thus selected, in col. 17, lines 12-35.

16. With respect to claim 14, Kanota teaches the method of writing information to an optical disc according to claim 13, comprising an act of reading the one or more availability parameters from the optical disc, in col. 10, lines 15-28.

17. With respect to claim 15, Kanota teaches the method according to claim 13, wherein writing to an address outside said storage section is avoided, in col. 10, lines 15-28.

18. With respect to claim 16, Kanota teaches the method according to claim 14, wherein, the user data is user data of the second format, the method comprising acts of: determining if the size of the free area is insufficient to accommodate the user data to be recorded written, the following acts are executed: if insufficient: determining whether the first storage section within the user storage area and outside said second storage section, either by itself or in combination with the free area already found, contains a storage space portion suitable and sufficient for accommodating the user data to be written; and amending at least one of said one or more availability parameters such as to increase the size of said second predefined storage section thereby also decreasing the size of said first predefined storage section, in col. 10, lines 15-28 and col. 17, lines 12-35.

19. Claim 17 is rejected using similar reasoning as claim 1.

Response to Arguments

20. Applicant's arguments with respect to claims 1-17 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to RYAN DARE whose telephone number is (571)272-4069. The examiner can normally be reached on Mon-Fri 9:30-6.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matt Kim can be reached on (571)272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Ryan Dare/
August 29, 2010